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4 UNITED STATES DISTRICT COURT
5 DISTRICT OF NEVADA

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7 BRANCH BANKING AND TRUST
8 COMPANY, a North Carolina banking
9 corporation,

10 Plaintiff,

11 v.

12 SMOKE RANCH DEVELOPMENT, LLC, a
13 Nevada limited liability company, YOEL INY,
14 an individual; NOAM SCHWARTZ, nan
15 individual; YOEL INY, Trustee of the Y & T
16 INY FAMILY TRUST dated June 8, 1994, as
17 amended; NOAM SCWARTZ, Trustee of the
18 NOAM SCHWARTZ TRUST dated August
19 19, 1999; D.M.S.I., LLC, a Nevada limited
20 liability company; and DOES 1 through 10,
21 inclusive,

22 Defendants.

Case No. 2:12-cv-00453-APG-NJK

ORDER REGARDING JURY TRIAL

23 I previously ruled that defendants are entitled to a jury trial on the issues of the amount of
24 the debt owed at the time of foreclosure and the sales price garnered at the trustee's sale. (Dkt.
25 #146 at 9.) At my direction, the parties submitted supplemental briefs regarding whether a jury
26 trial is still needed in light of the deficiency hearing I conducted on December 16, 2014. (Dkt. ##
27 152, 153.) After considering those briefs, I have determined that a jury trial is still needed on the
28 questions of the amount of the debt owed at the time of foreclosure and the sale price garnered at
the trustee's sale.

The parties are hereby ordered to confer about available trial dates during the months of
May through September, 2015. By no later than May 11, 2015, the parties shall submit a joint

1 brief regarding their availability for trial during those months. If the parties intend to submit
2 motions in limine, they should also propose a briefing schedule for those motions.

3 DATED this 29th day of April, 2015.

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6 ANDREW P. GORDON
7 UNITED STATES DISTRICT JUDGE
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